IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.459 OF 2006.

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

Mr. D.S.Chatterjee, Advocate for Petitioner.

CORAM : A.H.JOSHI AND
R.C.CHAVAN, JJ.

DATED : FEBRUARY 05, 2007.

1. The action of respondent in reducing scale of pay, awarded to the petitioner, from 4500-7000 to 4000-6000, done by order dated 10th July, 2004, is under challenge.

2. The order impugned is eloquent enough and refers that grant of higher pay scale was an error and correction was necessary for keeping pay scale in tune with the pay scales available to the State Government employees which pattern was adopted by the Board.

3. Contents of the order, or any background leading thereto, does not disclose any semblance of penalty.

4. Petitioner's allegation that the order tantamounts to penalty, is devoid of substance. The Court finds that there is no substance in the challenge.

5. The petitioner's reliance on the cases of *Purshottam Lal Das Vs. State of Bihar*, reported at **2006 AIR SCW 5325** and *Union of India Vs. M. Mathivanan*, reported at **AIR 2006 SC 2326** does not, in any manner, supports the petition.

6. The petition is, therefore, dismissed. No order as to costs.

JUDGE. **JUDGE.**

RR.